

CITY OF LEWISTON

CITY COUNCIL

JULY 15, 1997

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 7:00 P.M.

THE HONORABLE JOHN T. JENKINS, MAYOR, PRESIDING.

PRESENT: Councilors Lynch, Kelly, Gray, Albert, Samson, Bilodeau, Putnam, City Administrator Robert J. Mulready, and City Clerk Gerald P. Berube.

Pledge of Allegiance to the Flag.

Moment of Silence.

VOTE (1)

Motion by Councilor Bilodeau, seconded by Councilor Kelly:

To dispense with the reading of the minutes of the meeting of June 17, 1997, and to accept and place them on file as prepared by the City Clerk. Passed - Vote 7-0

PUBLIC HEARING ON AN ORDINANCE PERTAINING TO CHILD CARE FACILITIES

An ordinance pertaining to child care facilities, allowing for child care facilities in all zoning districts, and establishing regulations and performance standards received its first reading at this time.

Members of the City Council commended the Planning Board and Planning Staff for the time and effort on this very difficult issue.

Jamie Bolduc, who operates a number of day care centers in Lewiston was the only person speaking in opposition to the proposed ordinance.

VOTE (2)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

That the ordinance pertaining to Child Care Facilities has passage on first reading by a yea and nay vote, and that the public hearing on said ordinance be continued to the meeting of August 12, 1997 for final passage. Passed - Vote 6-1 Councilor Lynch opposed.

PUBLIC HEARING ON PROPOSED INCREASE IN THE WATER RATES

Mr. Mel Horton, Jr., representing the firm of Horton, McFarland & Veysey read the statutory requirements for conducting the public hearing and reviewed the documents which have been submitted to the Maine Public Utilities Commission in support of the proposed increase.

Councilor Lynch stated that the Council has adopted a no tax increase when adopting the budget but was approving both a sewer rate increase and a water increase which was a double whammy.

Chris Branch, Public Works Director, advised the Council that if an increase is not approved this year it would be faced with a worse problem next year. One of the major reasons for the increase is the decrease in consumption.

The rate increase is expected to generate approximately \$189,000 in new revenues.

A number of citizens spoke in opposition to the proposed increase and questioned some of the increases in expenditures.

After hearing all interested parties the following action was taken.

VOTE (3)

Motion by Councilor Putnam, seconded by Councilor Bilodeau:

In accordance with Maine Revised Statutes Annotated, Title 35A, Section 6104, the following rates are hereby established effective September 1, 1997:

For the first 1,200 cu. ft. per quarter ~~\$21.60~~ \$23.00
For the next 9,000 cu. ft. per quarter ~~\$ 1.03~~ \$ 1.10 per
100 cu. ft.
For all over 10,200 cu. ft. per quarter ~~\$.51~~ \$.60 per
100 cu. ft.

MINIMUM CHARGES

METER SIZE	QUARTERLY	QUARTERLY
5/8" Meter	\$ 21.60	\$ <u>23.00</u>

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3/4" Meter	30.87	<u>32.90</u>
1" Meter	46.32	<u>49.40</u>
1 1/2" Meter	83.40	<u>89.00</u>
2" Meter	123.48	<u>132.80</u>
3" Meter	184.68	<u>204.80</u>
4" Meter	245.88	<u>276.80</u>
6" Meter	429.48	<u>492.80</u>
8" Meter	796.68	<u>924.80</u>

SPRINKLERS	\$60.00 per inch per year
PRIVATE HYDRANTS	\$480.00 each per year
PUBLIC HYDRANTS	\$270,000.00 <u>\$315,000.00</u> per year plus cost for each additional hydrant installed after May 15, 1990 _____ December 31, 1996

Passed - Vote 5-2 Councilors Lynch & Samson opposed.

VOTE (4)

Motion by Councilor Bilodeau, seconded by Councilor Albert:

That the order discontinuing a portion of Hines Alley be adopted. Passed - Vote 7-0

VOTE (5)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To authorize the sale of the land and building located at Main Street and known as Wallace School to the Central Maine Christian Academy Inc. at a lump sum price of \$125,000.00 with the understanding that the property will be used as a school facility by the Academy, and that the City Administrator be authorized to sign the necessary deeds and documents on behalf of the City of Lewiston. Passed - Vote 7-0

Motion by Councilor Lynch, seconded by Councilor Albert to authorize the transfer of the proceeds from the sale of the Wallace School property to the Department of Education budget for use by the School Committee to expand the technology program by funding the purchase of additional equipment, training of staff members and students, installation of the equipment and all appropriate related costs.

VOTE (6)

Motion by Councilor Lynch, seconded by Councilor Samson:

To table, for a period not to exceed 90 days, the request to

transfer the proceeds from the sale of the Wallace School property to the Department of Education. Passed - Vote 7-0

A motion was made at this time to approve a 12 month extension of the option with Western Area Agency on Aging for the Frye School property.

Members from WAAA reviewed the proposed project and advised the Council that WAAA must show HUD that should funds be reserved for the project the additional 12 months will be available. The additional 12 months are needed in order to prepare preliminary drawings, obtain the necessary approvals, and determine final project costs for submission to HUD for review and approval.

Members of the City Council questioned the need for the project in view of the fact that another very worthy project was competing for the building.

Councilor Kelly stated he wanted to see a feasibility study for the project before acting on the request.

Councilor Lynch stated he wanted to hear from the competing project prior to making a decision and the following action was taken.

VOTE (7)

Motion by Councilor Lynch, seconded by Councilor Kelly:

To table to later in the evening the request from Western Area Agency on Aging for a 12 month extension on the option for the Frye School property. Passed - Vote 5-2
Councilors Gray and Bilodeau opposed.

Estelle Rubinstein, Executive Director of Androscoggin Head Start and Child Care, reviewed the proposal to establish on Early Head Start Program, and John Bouchles, Assistant Principal at Lewiston High School, gave an over view of the proposed Dropout Recovery Project/Lewiston Community Learning Center which they would like see housed in the Frye School building.

VOTE (8)

Motion by Councilor Lynch, seconded by Councilor Bilodeau:

To remove from the table the request from Western Area Agency on Aging for a 12 month extension on the option for the Frye School property. Passed - Vote 7-0

Mr. Ray Frechette, President of the local Landlords Association advised the Council that the city does not need additional rental units. He stated that the vacancy rate is very high and that Blake Street Towers has many vacant one room units.

It was explained that the proposed units were assisted care housing and would not compete with existing housing units. After a very lengthy discussion, Mr. Bouchles stated that they did not wish to be in competition with WAAA for the Frye School property and supported the WAAA project. He further stated that they wanted to be considered for the property should WAAA not get funding reservation by October, and the following action was taken.

VOTE (9)

Motion by Councilor Kelly, seconded by Councilor Lynch:

That the motion be amended by adding after the words "elderly housing" the following: subject to the City Council receiving a feasibility study for this project. Passed - Vote 7-0

VOTE (10)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To approve a 12 month extension of the option with the Western Area Agency on Aging for the Frye School property upon the reservation of funds by HUD for the development of elderly housing, subject to the City Council receiving a feasibility study for this project. Should Western Area Agency on Aging fail to receive a fund reservation, it will relinquish all options on the Frye School property to the City of Lewiston. The City Council hereby authorizes City Administrator Robert Mulready to sign all necessary documents on behalf of the City of Lewiston. Passed-Vote 5-2 Councilors Lynch & Kelly opposed.

VOTE (11)

Motion by Councilor Bilodeau, seconded by Councilor Lynch:

To postpone indefinitely the policy on the removal of the Lisbon Street canopy system. Passed - Vote 7-0

VOTE (12)

Motion by Councilor Bilodeau, seconded by Councilor Kelly:

To authorize the Purchasing Agent to proceed with the removal of all the City canopies on Lisbon Street, and that the removal costs estimated at \$55,000 be paid from the Community Development Block Grant Downtown Improvement Fund.

Passed - Vote 7-0

VOTE (13)

Motion by Councilor Albert, seconded by Councilor Gray:

That Goff Street as accepted by the Lewiston City Council on November 7, 1962, and recorded in Volume 3, Page 132 and on October 6, 1987, and recorded in Volume 4, Page 71 be officially changed to Goff Avenue. Passed - Vote 7-0

VOTE (14)

Motion by Councilor Albert, seconded by Councilor Gray:

To accept the recommendation of the Police Department, and to amend the Traffic Schedule as follows:

SECTION 9

PARKING PROHIBITED ALL TIMES - FIRE LANES

CAMPUS AVENUE Even numbered side north side beginning at a point ~~688~~⁺ 664' from the northwesterly corner of Campus Ave & Lafayette St and extending westerly on Campus Ave a distance of ~~52~~⁺ 76'. Passed - Vote 7-0

VOTE (15)

Motion by Councilor Albert, seconded by Councilor Gray:

To authorize the City Clerk to approve the liquor license application and Special Amusement Permit for Dancing and Entertainment for The Bird, 1243 Lisbon Street, subject to the approval of all required municipal departments.

Passed - Vote 7-0

VOTE (16)

Motion by Councilor Albert, seconded by Councilor Gray:

To authorize the City Clerk to approve the liquor license application and Special Amusement Permit for Dancing and Entertainment for the Connexion, 16-18 Park Street, subject to the approval of all required municipal departments.

Passed - Vote 7-0

VOTE (17)

Motion by Councilor Albert, seconded by Councilor Gray:

To grant a Special Amusement Permit for Dancing and Entertainment to the Festival de Joie committee for the annual Festival to be held at the Central Maine Civic Center.

Passed - Vote 7-0

VOTE (18)

Motion by Councilor Kelly, seconded by Councilor Lynch:

To accept and place on file the communication from the Planning Board advising the City Council that it will not initiate an amendment to the Zoning and Land Use Code to alter the definition of frontage. Passed - Vote 7-0

VOTE (19)

Motion by Councilor Albert, seconded by Councilor Gray:

That the following Order has a passage:

ORDERED, That this City Council hereby authorizes the School Committee to expend appropriated monies per line in support of educational programs during Fiscal Year 1997-98 as follows:

LINE	DESCRIPTION	AMOUNT
1	Undistributed	7,793,362.00
2	Elementary Education - Instructional	5,164,869.00
3	Elementary Education - All Other	1,601,583.00
4	Junior High School - Instructional	1,941,032.00
5	Junior High School - All Other	537,708.00
6	High School - Instructional	3,336,159.00
7	High School - All Other	780,605.00
8	Special Education	4,843,135.00
9	Vocational - Instructional	1,051,878.00
10	Vocational - All Other	371,351.00
11	Student Activities	371,086.00
12	Adult Education	<u>414,053.00</u>
13	TOTAL	<u>\$28,206,821.00</u>

Passed - Vote 7-0

VOTE (20)

Motion by Councilor Albert, seconded by Councilor Gray:

That the following Order has a passage:

ORDERED, That upon recommendation of the Department of Education, this City Council hereby authorizes an appropriation from the foundation allocation for school purposes the sum of \$22,598,600.00 and to raise as the local share of the foundation the sum of \$9,557,844.00.
Passed - Vote 7-0

VOTE (21)

Motion by Councilor Albert, seconded by Councilor Gray:

That the following Order has a passage:

ORDERED, That upon recommendation of the Department of Education, this City Council hereby authorizes an appropriation from the debt service allocation for school purposes, the sum of \$953,037.00, and to raise as the local share of the debt service, the sum of \$870,488.00.
Passed - Vote 7-0

VOTE (22)

Motion by Councilor Albert, seconded by Councilor Gray:

That the following Order has a passage:

ORDERED, That upon recommendation of the Department of Education, this City Council hereby agrees to appropriate \$3,710,129.00 in additional local funds under the provisions of 20-A, M.R.S.A., Section 15614. Passed - Vote 7-0

VOTE (23)

Motion by Councilor Albert, seconded by Councilor Gray:

That the following Order has a passage:

ORDERED, That upon recommendation of the Department of Education, this City Council hereby authorizes the Lewiston School Committee to expend \$28,206,821.00 for the Fiscal Year beginning July 1, 1997 and ending June 30, 1998 from the state foundation allocation (\$13,040,756.00), state debt service allocation (\$82,549.00), FY98 hardship adjustment (\$0),

student activities (\$15,000.00), rentals - classrooms and auditoriums (\$16,000.00), state agency clients - special education (\$100,000.00), surplus-prior year (\$400,000.00), local appropriation (\$14,138,461.00) for the support of schools. Passed - Vote 7-0

VOTE (24)

Motion by Councilor Albert, seconded by Councilor Gray:

That the following Order has a passage:

ORDERED, That upon recommendation of the Department of Education, this City Council hereby authorizes an appropriation of \$414,053.00 for adult education and to bring forward surplus-prior year (\$0), and to raise as the local share for adult education the sum of \$256,053.00.
Passed - Vote 7-0

VOTE (25)

Motion by Councilor Albert, seconded by Councilor Gray:

That the following Order has a passage:

ORDERED, That upon recommendation of the Department of Education, this City Council hereby authorizes the Lewiston School Committee to accept the categories of funds listed below as provided by the Maine State Legislature.

CATEGORY	ESTIMATED AMOUNT
Dwight D. Eisenhower Act (1996-97) (Title II)	33,090.00
Chapter I (Title IA)	1,024,544.00
Chapter II (Title VI)	44,500.00
Reading Recovery	0.00
Migrant Education (Title IC)	45,475.00
Local Entitlement, Part B, P.L. 101-476	313,504.00
Emergency Shelter Program	69,386.00
Drug Free School Program (Title IV)	33,090.00
Carl D. Perkins Vocational and Applied Technology Education Act of 1990 (P.L.101-392)	158,393.00
Pre-Apprenticeship	5,000.00
Maine Career Advantage	5,000.00
Dropout Recovery	25,000.00
Adult Basic Education	45,248.00

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Child Care/Transportation Program	4,000.00
Carl Perkins - Central Maine Technical College	<u>3,840.00</u>
ESTIMATED TOTAL	1,810,070.00

Passed - Vote 7-0

VOTE (26)

Motion by Councilor Kelly, seconded by Councilor Bilodeau:

To adjourn at 11:37 P.M. Passed - Vote 7-0

A true record, Attest:

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CMC

Gerald P. Berube,

City Clerk
Lewiston, Maine